

Conference Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 212

SENATE BILL 1555

AN ACT

AMENDING TITLE 13, CHAPTER 37, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3726; RELATING TO RESIDENCY RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 37, Arizona Revised Statutes, is amended
3 by adding section 13-3726, to read:

4 13-3726. Unlawful residency; persons convicted of criminal
5 offenses; exceptions; classification

6 A. IT IS UNLAWFUL FOR A PERSON WHO HAS BEEN CONVICTED OF A DANGEROUS
7 CRIME AGAINST CHILDREN AS DEFINED IN SECTION 13-604.01, WHO IS REQUIRED TO
8 REGISTER PURSUANT TO SECTION 13-3821 AND WHO IS CLASSIFIED AS A LEVEL THREE
9 OFFENDER PURSUANT TO SECTIONS 13-3825 AND 13-3826 TO RESIDE WITHIN ONE
10 THOUSAND FEET OF THE REAL PROPERTY COMPRISING ANY OF THE FOLLOWING:

11 1. A PRIVATE SCHOOL, AS DEFINED IN SECTION 15-101, OR A PUBLIC SCHOOL
12 THAT PROVIDES INSTRUCTION IN KINDERGARTEN PROGRAMS AND ANY COMBINATION OF
13 KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH EIGHT.

14 2. A PRIVATE SCHOOL, AS DEFINED IN SECTION 15-101, OR A PUBLIC SCHOOL
15 THAT PROVIDES INSTRUCTION IN ANY COMBINATION OF GRADES NINE THROUGH TWELVE.

16 3. A CHILD CARE FACILITY AS DEFINED IN SECTION 36-881.

17 B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

18 1. A PERSON WHO ESTABLISHES THE PERSON'S RESIDENCE BEFORE THE
19 EFFECTIVE DATE OF THIS SECTION OR BEFORE A NEW SCHOOL OR CHILD CARE FACILITY
20 IS LOCATED.

21 2. A PERSON WHO IS A MINOR.

22 3. A PERSON WHO IS CURRENTLY SERVING A TERM OF PROBATION.

23 4. A PERSON WHO HAS HAD THE PERSON'S CIVIL RIGHTS RESTORED PURSUANT TO
24 CHAPTER 9 OF THIS TITLE.

25 5. A PERSON WHO HAS NOT BEEN CONVICTED OF A SUBSEQUENT OFFENSE IN THE
26 PREVIOUS TEN YEARS, EXCLUDING ANY TIME THE PERSON WAS INCARCERATED IN ANY
27 FEDERAL, STATE, COUNTY OR LOCAL JAIL OR PRISON FACILITY.

28 C. NOTWITHSTANDING ANY OTHER LAW AND AS A MATTER OF STATEWIDE CONCERN,
29 A COUNTY, CITY OR TOWN SHALL NOT ENACT AN ORDINANCE THAT PROVIDES FOR
30 DISTANCE RESTRICTIONS GREATER THAN THOSE FOUND IN THIS SECTION.

31 D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1
32 MISDEMEANOR.

APPROVED BY THE GOVERNOR MAY 14, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 14, 2007.